

**EXEMPTION LIST FOR THE
STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES
AS REVIEWED AND CONCURRED UPON BY THE
ENVIRONMENTAL COUNCIL
(DOCKET 91-EX-2)
DECEMBER 4, 1991**

DOCKET NO. 91-EX-2

HISTORICAL NOTE

As a result of a review and concurrence proceeding (Docket 91-EX-2) conducted by the Environmental Council on December 4, 1991, this amended exemption list by the Department of Land and Natural Resources supersedes the Department-wide list reviewed and concurred upon by the Environmental Quality Commission on January 19, 1976.

DEPARTMENT-WIDE EXEMPTION LIST

Section 343-6(7) of the Hawaii Revised Statutes authorizes the Environmental Council to establish procedures whereby specific types of actions, because they will probably have minimal or no significant effects on the environment, are declared exempt from the preparation of an environmental assessment. Pursuant to the administrative rules promulgated under authority of section 343-6(7) of the Hawaii Revised Statutes by the Environmental Council, specifically section 11-200-8(d) of the Hawaii Administrative Rules, Department of Health (HAR), the Department of Land and Natural Resources, State of Hawaii, has determined that the following types of actions, where they fall within the given classes of action, shall generally be exempt from requirements regarding the preparation of an environmental assessment. The Environmental Council, after reviewing the Department's request (through the State Historic Preservation Division) to amend the January 19, 1976 Department-wide exemption list, has concurred on this amended Department-wide exemption list containing actions under exemption classes 1, 2, 4, 5, 6, and 8, on December 4, 1991.

EXEMPTION CLASS 1

Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing [HAR §11-200-8(a)(1)].

1. Operations, repairs, or maintenance of existing signs, buoys, and markets [January 19, 1976].
2. Operations, repairs or maintenance of existing fire tool catches, fuel breaks and helispots [January 19, 1976].
3. Fire fighting [January 19, 1976].

EXEMPTION CLASS 2

Replacement or reconstruction of existing structure and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced [HAR §11-200-8(a)(2)].

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- 1. Replacement or reconstruction of existing signs, buoys, or markers [January 19, 1976].**
- 2. Replacement or reconstruction of existing checking stations [January 19, 1976].**
- 3. General actions involving the rehabilitation/restoration of existing structures at historic sites [December 4, 1991].**

EXEMPTION CLASS 4

Minor alteration in the conditions of land, water, or vegetation [HAR §11-200-8(a)(4)].

- 1. Construction of walkways (but not forest trails) and installation of guard rails [January 19, 1976].**
- 2. Removal of single, common place, unexceptional tree that endangers life or property [January 19, 1976].**
- 3. Mowing, pruning, trimming [January 19, 1976].**

EXEMPTION CLASS 5

Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource [HAR § 11-200-8(a)(5)].

- 1. Installation and monitoring of climatology stations [January 19, 1976].**

EXEMPTION CLASS 6

Construction or placement of minor structures accessory to existing facilities [HAR §11-200-8(a)(6)].

NOTE: Formerly exemption class 7 under the January 19, 1976 list, the class number was changed to 6 to conform with existing administrative rule [December 4, 1991].

- 1. Placement of signs, buoys, or markers [January 19, 1976].**
- 2. Construction of utility sheds [January 19, 1976].**

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- 3. Placement of aerators for increasing the dissolved oxygen content for fish populations in reservoirs, nurseries, ponds [January 19, 1976].**

EXEMPTION CLASS 8

Demolition of structures, except those structures located on any historic site as designated in the National Register or Hawaii Register as provided for in the National Historic Preservation Act of 1966, Public Law 89-665, or Chapter 6E, Hawaii Revised Statutes [HAR §11-200-8(a)(8)].

NOTE: Formerly exemption class 9 under the January 19, 1976 list, the class number was changed to 8 to conform with existing administrative rule. Legal citations were also edited to conform to those cited in HAR §11-200-8(a)(8) [December 4, 1991].

- 1. Sealing of leaky wells [January 19, 1976].**

NOTE

Pursuant to HAR §11-200-8(b), all exemptions under the classes in this section are inapplicable when the cumulative impact of planned successive actions of the same type, in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment.